

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CITIZENS INSURANCE COMPANY OF
THE MIDWEST,

Plaintiff,

v.

FRANK ALSPECTOR, as Guardian of
CAITLIN ALSPECTOR,

Defendant.

Case No. 20-13311

Stephanie Dawkins Davis
United States District Judge

**ORDER GRANTING UNOPPOSED MOTION
TO CONSOLIDATE (ECF No. 21)**

Defendant filed a motion to consolidate this declaratory judgment action with a related no-fault “PIP” action pending before this court, *Alspector v. Citizens Ins. Co. of the Midwest*, Case No. 21-10510. (ECF No. 21). Plaintiff did not file a response to defendant’s motion and the 14-day time period for filing a response has passed. E.D. Mich. L.R. 7.1(e)(1). The court may grant such an unopposed motion without further review. *Humphrey v. United States Attorney General's Office*, 279 Fed. Appx. 328, 331 (6th Cir. 2008) (“[I]f a plaintiff fails to respond or otherwise oppose a defendant’s motion, then the district court may deem the plaintiff to have waived opposition to the motion.”). However, on review of the record in both cases, the court finds that the two matters involve common questions of law and fact in that both cases involve a determination of whether

Citizens is obligated to pay No-Fault benefits on behalf of Caitlin Alspector, resulting from injuries caused by a motor vehicle accident. Thus, the cases are appropriately consolidated under Federal Rule of Civil Procedure 42(a) and defendant's motion is **GRANTED**. From the date of this order going forward, all pleadings for Case Nos. 20-13311 and 21-10510 must be filed on the docket in Case No. 20-13311.

IT IS SO ORDERED.

Date: October 26, 2021

s/Stephanie Dawkins Davis
Stephanie Dawkins Davis
United States District Judge